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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.3294 OF 2007

The Stone Crusher Owners Association..Petitioners
Vs.
State of Maharashtra & Ors. .....Respondents

Shri G.M. Savagave, for the Petitioners.
Shri V.A. Sonpal, AGP for respondent Nos. 1 to 4.

CORAM : F.I. REBELLO &
R.M.SAVANT, JJ.
DATED : 15th June, 2007

P.C.

. On perusal of the letter dated 18th January, 2006 it would be clear that what the Government wants to do is to ascertain whether the mine which is being crushed corresponds to what has been extracted and in respect of which royalty has been paid by the owner of the land. The petitioners are bound to comply with the said request from the State.

2. We, however, make it clear that at the first instance if there are royalty dues they must be claimed from the owner of the land failing which it will be open to the State to take action against the Stone Crushing Unit, if in law so entitled to. With the above observation petition disposed of.

(**F.I.REBELLO**, J)

(**R.M. SAVANT,J)**